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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Garvey**

Application No: **10/695,644**

Group Art Unit: **1625**

Filed: **October 29, 2003**

Examiner: **Charanjit Aulakh**

For: **Nitrosated and Nitrosylated Nebivolol and Its Metabolites, Compositions and Methods of Use**

Attorney Docket No: **102258.133 US2**

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 8, 2005, finally rejecting claims 1-33, 35-48, 50-59, 61-70, 72-78, 84-87 and 89-92.

The Commissioner is authorized to charge the notice of appeal fee of \$250 to Deposit Account No. 08-0219. The Commissioner is also authorized to charge any other necessary fees to maintain the pendency of the present application or to credit any overpayments to Deposit Account No. 08-0219. Small entity status has been established in the present application.

Respectfully submitted,

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Date: January 26, 2006
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